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American First Finance Inc.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARIA ANDRADE,

Plaintiff,

vs.

AMERICAN FIRST FINANCE, INC., et al.

Defendants.

Case No.: 3:18-cv-06743-SK

**JOINT PROPOSED QUESTIONS FOR
VOIR DIRE**

Date: April 4, 2023

Time:

Dept.: Courtroom C, 15th Floor

Honorable Sallie Kim

Complaint Filed: November 7, 2018

Trial Date: February 21, 2023

Pursuant to the Court’s Case Management and Pretrial Order [Dkt. No. 161], (“Maria Andrade” or “Plaintiff”) and Defendant American First Finance (“AFF” or “Defendant”) submit the following joint proposed questions for voir dire:

EXPERIENCE WITH PARTIES/WITNESSES

1. I have read a short Statement of the Case. Has anyone heard of this case, or does anyone have knowledge of the facts of this case? If so, please raise your hand and let us know how.
2. Counsel for the plaintiff will introduce themselves and their clients.
 - a. Do you know any of the attorneys or their law firms?
 - b. The Plaintiff in this case is a person named Maria Andrade, formerly Maria Rivera.
 - c. Have you or anyone close to you had any dealings with the Plaintiff?
3. Plaintiff was previously represented by Daniel T. LeBel of Consumer Law Practice of Daniel T. LeBel.
 - d. Do any of you know Mr. Lebel or been represented by Mr. Lebel?
4. Counsel for the defendants will introduce themselves and their clients.
 - a. Do you know any of the attorneys or their law firms?
 - b. The Defendant in this case is a company called American First Finance, LLC.
 - c. Are you personally acquainted with an officer, director, or employee of that company?
 - d. Have you or anyone close to you had any dealings with that company?
5. Elegant Furniture, a furniture store in Fresno, California, and its owners, Murad Alrawashdeh and Ahmad Alrawashdeh, , were represented by Damien P. Lillis of Lillis & Pitha LLP in San Francisco, California.

1 a. Does anyone know, heard of, or been represented or had a close friend or
2 family member who was represented by Mr. Lillis or his law firm? If so, please
3 raise your hand so we can ask about the details.

4 b. Does anyone know, heard of, or done business with Elegant Furniture or
5 its owners, Murad al Rawashdeh and Ahmad al Rawashdeh?

6 6. Here is a list of potential witnesses who may testify at trial. Do you know any of
7 these people?

8 [Insert Names from both Witness Lists]
9

10 **SUBJECT MATTER OF LAWSUIT**

11 7. Have you ever gone to a store to purchase consumer or household goods such as
12 furniture, appliances, electronics, etc. and entered into and obtained financing to
13 purchase those goods while you were in the store?

14 8. Do you have an opinion, good or bad, about companies involved in either
15 providing financing for the purchase of goods or the lending of money to
16 consumers in California?

17 9. Have you ever been employed in or involved with the consumer finance lending
18 industry or know someone in the consumer finance lending industry?

19 10. Do you have any training or education in the consumer finance lending industry?

20 11. Do you have any education, training, or experience with the law, legal system, or
21 courts?

22 12. Do you have an opinion about people or companies who file lawsuits seeking
23 monetary damages?

24 13. Is anyone familiar with the financing concept of “90 days same as cash” or
25 similar programs in which the customer is not charged interest if the customer
26 pays off the purchase within a set number of days? If so, please raise your hand.

27 14. Has anyone financed the purchase of an item using a “90 days same as cash” or
28 similar program? If so, please raise your hand.

- 1 15. Has anyone ever had difficulty obtaining financing or credit? If so, please raise
2 your hand.
- 3 16. Does anyone believe it is wrong to charge interest when someone finances a
4 purchase? If so, please raise your hand.
- 5 17. Has anyone ever worked for a company that evaluated credit risk for purposes of
6 determining an appropriate interest rate to charge? If so, please raise your hand.
7

8 **GENERAL QUESTIONS**

- 9 18. Have you or anyone close to you ever filed a lawsuit, or had a lawsuit filed
10 against you?
- 11 a. Briefly, what was the lawsuit about?
- 12 b. Was there a trial? How did you participate?
- 13 c. What were your impressions of the court system?
- 14 d. How satisfied were you (or the person involved) with the outcome?
- 15 e. How has that experience affected your thinking about lawsuits in general?
- 16 f. How might your experience affect your participation as a juror in this lawsuit?
- 17 19. Has anyone had a bad experience with a lawsuit?
- 18 a. Please tell us more about the lawsuit and why it was a bad experience?
- 19 b. How might your experience affect your participation as a juror in this lawsuit?
- 20 20. Have you ever worked for a company that was involved in a lawsuit?
- 21 a. Were you directly affected or were you involved in any way?
- 22 b. What did you personally think about it?
- 23 c. How has that experience affected your thinking about lawsuits in general?
- 24 d. How might your experience affect your participation as a juror in this lawsuit?
- 25 21. This case may involve testimony from people referred to as “expert witnesses.”
26 Under our legal system, each side can hire expert witnesses and those witnesses
27 get paid for their time and for providing testimony and opinions. Will you have a
28

difficult time trusting a witness because the witness is paid by one side or the other?

22. Do you have difficulty understanding the English language, either spoken or written?

23. Do you have any difficulty hearing or seeing what is going on in the courtroom, or take any medication that might cause drowsiness, or experience any physical or mental condition that might affect your ability to decide this case?

24. If you were one of the parties in this lawsuit, is there any reason you might not want someone of your background, beliefs and experiences to serve as a juror in this case?

25. Do you know how retail installment sales contracts are assigned to a third party?

26. Have you or anyone close to you ever signed a consumer loan? Please explain.

27. Have you or anyone close to you ever signed a retail installment sales contract that was assigned to a third party? Please explain.

28. Do you think that misrepresentations are just part of the marketplace and must be tolerated or do you believe the reverse is true, that it is wrong. Please explain.

29. Do you think that the concealment of an important fact is just part of the marketplace and must be tolerated or do you believe the reverse is true, that it is wrong. Please explain.

30. Does anyone believe that either side's case automatically has merit because that party, whether the plaintiff or defendant, hired lawyers to bring or defend this lawsuit? Do you all agree that the parties start out on a level playing field and that they are perfectly even?

31. Does anyone believe that companies are not entitled to the same treatment under the law as individuals? If so, please raise your hand.

32. Is there anything I have not asked you about today that you believe could affect your ability to be a fair and impartial juror?

- 1 33. People have different experiences, and there are times when people believe, for
2 reasons personal to them that they prefer to keep private, that they could not
3 serve as a fair and impartial juror. This case involves a disagreement over a
4 contract, and in particular, a disagreement over the interest rate. Understanding
5 that the case involves those issues, and without asking you publicly to explain
6 your reasons, does anyone know of a reason why you could not be a fair and
7 impartial juror in this case? If so, please raise your hand.
- 8 34. Can each of you assure us by raising your hand that you will faithfully follow the
9 Court's instructions on the law, whether you agree with them or not?
- 10 35. Can each of you assure us by raising your hand that you will not make up your
11 mind until you have heard all the evidence and the Court's instructions?

12
13 DATED: February 23, 2023

Respectfully submitted,

14 **GREEN & NOBLIN, P.C.**

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16 By: /s/ Robert S. Green
Robert S. Green

17
18 James Robert Noblin
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Attorneys for Plaintiff
Maria Andrade

DATED: February 23, 2023

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Attorneys for Defendant
American First Finance Inc., n/k/a American First
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1 **FILER ATTESTATION**

2 Pursuant to Civil Local Rule 5.1(h)(3), I, Robert S. Green, attest under penalty of perjury
3 that concurrently in the filing of this document I have obtained authorization from all of the
4 signatories.

5 DATED: February 23, 2023

GREEN & NOBLIN, P.C.

6 /s/ Robert S. Green

7 Robert S. Green

8 Attorney for Plaintiff

MARIA ANDRADE